

**To:** Boomgaard, Craig[Boomgaard.Craig@epa.gov]  
**From:** Connors, Kevin C.  
**Sent:** Tue 3/26/2013 4:00:34 PM  
**Subject:** Update

Craig,

I hope all is well with you and your family. Still no baby here. The Doctor gave us until April 2<sup>nd</sup>, and then they will make that baby come out. We are all sick in our house with coughs, runny noses, the kids have pink eye, and I have an ear infection. We are trying to all get healthy as quickly as possible before the baby comes.

I want to give you an update on the Class VI primacy application.

The administrative rules are now published in the North Dakota Administrative Code and become effective April 1<sup>st</sup>. Yesterday (3/25/13), the Industrial Commission (Governor, Attorney General, and Agriculture Commission) approved authorization for the Oil and Gas Division to apply for Class VI primacy. This signed authorization will be included in the primacy application. I am waiting for the Governor's letter and the Attorney General's Statement to be signed. I will be meeting with the Department of Health to discuss the MOU and hopefully leave with it signed. The Director and Assistant Director are currently reviewing the MOA and Class VI Program Description.

I have an ambitious goal of submitting the North Dakota Class VI Primacy Application on April 1, depending on if I can obtain all the signatures required by the end of week. Regardless, I plan on submitting the application as soon as all documents are signed.

Kevin C. Connors

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**From:** Boomgaard, Craig [mailto:Boomgaard.Craig@epa.gov]  
**Sent:** Tuesday, March 26, 2013 10:07 AM  
**To:** Connors, Kevin C.  
**Subject:** Final Comment

Kevin,

I hope all is well with you and your family.

We have been waiting for HQ legal to get back on the last issue and have not heard anything so in order to keep this moving forward at a non-geologic pace....

The last question/item was referencing the MOA between Region 8 and DoH in your MOA. We've already outlined where in the past conversation. HQ folks (Bruce and Molly) feel it important to recognize the existence of the other MOA and reference it so if there is a legal review or someone is trying to follow the legal paths they can.

That is all that is left as far as I know. Lisa indicated she thought that was all that was left as well.

Everyone is looking forward to your application. Right now it is on track to be the first in the nation!

Craig Boomgaard, P.G., PMP  
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